



AMERICAN BAR ASSOCIATION RULE OF LAW INITIATIVE

RULE OF LAW PARTNERSHIP PROJECT – RUSSIAN FEDERATION (USAID 118-A-00-08-00083-00)

Final Report: 2008 – 2012



Advocates and government officials at an interregional coordination meeting on Free Legal Aid in May 2012.

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EXECUTIVE SUMMARY

With funding from USAID the American Bar Association Rule of Law Initiative (ABA ROLI) and the Russian American Rule of Law Consortium (RAROLC) successfully implemented its **Rule of Law Partnership Program (RLPP) (USAID 118-A-00-08-00083-00)** from September 29, 2008 to September 31, 2012. Through this program RLPP supported the capacity of Russian judges, lawyers, civil society, and court personnel to respond effectively to the needs of ordinary citizens. We increased access to justice for citizens in the regions by supporting the availability, coordination and provision of free legal services by launching two free legal aid networks, and partnering with non-governmental organizations (NGOs), regional bar chambers, and regional ombudsmen offices. RLPP increased the transparency and responsiveness of the court system and the judiciary by supporting exchanges between representatives of civil society, the media, and Russia's judiciary. Lastly, to strengthen the professional skills of Russian legal professionals, RLPP worked with advocates, students, professors, and judges to promote ethical standards, professional self-governance, and continuing legal education.

From 2008 to 2012, RLPP successfully enacted numerous reforms and made considerable progress towards fulfillment of the project's goals of *1) Increased Credibility and Professionalism in the Lower-Level Courts in Pilot Regions*; and *2) Improved Standards and Governing Mechanisms for Professionalism and Accountability in the Russian Legal System*.

To achieve these goals, RLPP focused its efforts on the following objectives:

1. Improved Capacity of Judges
2. Improved Awareness of Legal Rights for Citizens Using the Legal System and an Enhanced Capacity to Assert Such Rights
3. Improved Administration of the Justice System and Related Procedures
4. Increased Application of Normative Ethical Standards
5. Improved Self-Regulation and Other Forms of Governance
6. Expanded Technical Competence in Selected Thematic Areas and Procedures

During this four-year program, RLPP made major strides in achieving its objectives:

- RLPP trained judges and advocates to improve understanding in areas such as analytical skills, human rights and the ECtHR, access to justice, alternative dispute resolution (ADR), and legal and judicial ethics.
- RLPP conducted training of trainer (ToT) courses to improve the quality of legal training for lawyers and judges in pilot regions.
- RLPP worked to solidify the sustainability of its projects by helping Russian partners to develop institutions such as Free Legal Aid Networks (FLANs), Mediation Centers and Continuing Legal Education (CLE) Centers.
- RLPP developed and published several books and guides to improve the level of technical competence of advocates and judges.
- RLPP developed and distributed tens of thousands of brochures aimed at improving the understanding ordinary citizens have of their legal system.
- RLPP conducted study tours to the U.S. for advocates and judges to gain a deeper understanding of international best practices in legal training, judicial transparency, and ethics.

- RLPP worked with courts in pilot regions to improve their administration, public access, and transparency.

Highlights by the Numbers:

- 219 JPs and JP staff trained in a comprehensive 72-hour course developed by RLPP.
- 10,000 total copies were distributed of 9 books published by RLPP. These books included a JP Bench Book, a Mediation Handbook, and books on disciplinary practices and ethics for advocates.
- 2,400 people interviewed in surveys of public awareness of legal rights and processes.
- 55,000 copies of 12 brochures distributed through a “Know your Rights” campaign.
- 8,500 copies distributed of legal aid directories developed for three pilot regions.
- 4,800 consultations and referrals provided at 2 newly-created Free Legal Aid Networks (FLANs).
- 1 million flyers distributed to promote the FLAN Hotlines and free legal aid.
- 587 advocates trained by RLPP at 25 trainings on Free Legal Aid.
- 93 cases taken on in 2011 by 18 RLPP-trained mediators at the Rostov Mediation Center.
- 270 young advocates trained at 4 two-day training courses on ethics for advocates.
- 125 lawyers trained on basic skills by RLPP-trained CLE trainers at newly-created CLE Centers.
- 1100 judges and lawyers trained in 19 legal seminars and master classes on legal topics to improve the interpretation and practical implementation of Russian laws.

PROGRAM ACTIVITIES

GOAL A: INCREASED CREDIBILITY AND PROFESSIONALISM IN THE LOWER-LEVEL COURTS IN PILOT REGIONS

OBJECTIVE A: IMPROVED CAPACITY OF JUDGES

From 2009-2012, RLPP engaged in a series of activities designed to improve the capacity of judges. RLPP developed a comprehensive curriculum and conducted three (3) training sessions for JPs and JP staff and trainings of trainers. RLPP—in partnership with the Academy of Justice (AOJ) and with targeted regional courts—developed a set of new curricula in an effort to standardize trainings for all JPs. These curricula focused on skills development, using role-playing and other interactive teaching methods to enhance JPs’ ability to preside over court proceedings competently, interact fairly with litigants and witnesses, and draft and deliver decisions.

RLPP also conducted three (3) training sessions for JPs and JP staff. In an effort to improve the quality of JP education, RLPP also conducted a training of trainers course to educate JP trainers on the use of interactive teaching methods for adults. RLPP also developed and conducted two (2) courses on judicial skills, one on analytical skills, and another on judicial ethics. In an effort to increase access to judicial reference books, RLPP developed, published, and distributed a comprehensive Bench Book for JPs, *Handbook for Justices of the Peace*, which was revised with feedback from the JPs. Finally, RLPP conducted two (2) study tours to the state of Delaware, at which JPs were able to learn about Delaware’s JP court system.

Highlights by the Numbers:

- 219 JPs and JP staff were trained in a comprehensive 72-hour course developed by RLPP.
- 46 JPs and judicial educators were trained in a ToT course on interactive teaching methods.
- 20 JPs and judicial educators were trained in a ToT seminar on Analytical Skills.
- 15 newly-appointed JPs took part in a seminar on Ethics Skills.
- 6,500 printed copies and 2,000 electronic copies were published of the Bench book for JPs, *Handbook for Justices of the Peace*.
- 2 study tours were conducted for JPs to Delaware JP Courts.

Developed Training Curricula for Justices of the Peace (JPs) and JP Staff

Developed a Comprehensive Training Curriculum for JPs and JP Staff and Conducted Training Sessions

RLPP worked with the Directors of the Academies of Justice in three regions to develop a comprehensive training curriculum in the Leningrad, Rostov, and Ulyanovsk regions for Justices of the Peace and their staff. The final Justice of the Peace training curricula totaled 72-hours of training and included four (4) components: (1) the Role of JPs in the judicial system of the Russian Federation and the types of cases heard by JPs; (2) Civil and criminal case proceedings; (3) JP personnel and operational administration; (4) Judicial morals and ethics; psychological aspects of the work of JPs.

In 2009, RLPP conducted three (3) JP training sessions to test this newly developed curriculum. The training totaled 72 hours, including 22 hours of lectures, 34 hours of practical seminars and 16 hours of role-playing, and a final exam was administered at the end of the training.

The general evaluation of the training program by the audience was favorable: 22 respondents gave it a “Perfect” grade and 21 respondents marked it as “Good.” Most (36) of the respondents indicated that they plan to use the knowledge they received during the training in their work significantly or a lot.

In February 2010, RLPP conducted a second training in Leningrad Oblast in cooperation with the



Leningrad State University Law School for a total of 12 JPs and 24 court staff from the region. RLPP trainers relied on interactive methods in the training sessions, such as role-playing and practical situations, development of advanced materials for the participants, as well as PowerPoint presentations. The program received high marks from its participants, with 75% describing it as “Excellent.”

Finally, in March 2010, RLPP conducted a third 72-hour training course on general legal aspects for 17 JPs and 18 JP court staff from Karelia, Pskov Oblast, Arkhangelsk, and Novgorod Oblast. The curriculum focused on case management, administrative and tax law, administrative offenses, family and marriage law, and aspects of civil and criminal procedure. The evaluation results were very positive, with 54% of those surveyed reporting that the training was “Excellent,” and 45% that the training was “Good.”

Since the regional governments were unable to fund the 72-hour curriculum, RLPP ended up conducting these three (3) trainings as a demonstration. With assistance from St. Petersburg State University Law School (SPU), RLPP then revised the 72-hour curriculum to create a shorter 40-hour curriculum. The reduced 40-hour training emphasized the most relevant topics from the 72-hour program and added an additional writing class to the curriculum. The shorter (40 hour) curriculum incorporated: (1) skills development training, (2) techniques related to the pressures of judging, (3) working with large volumes of cases more proficiently, and (4) developing skills and learning techniques to manage an effective courtroom, and legal opinion writing.

Conducted a Training of Trainers (ToT) Course

In addition to the JP Training events, RLPP conducted two (2) Training of Trainers (ToT) seminars to educate judicial trainers on the use of interactive methods of teaching for adults, particularly for judges within the system of continuing legal education. Interactive methods are not commonly incorporated into educational institutions in Russia, including those involved in continuing legal education.

The first training, a three-day ToT session in Rostov for 20 future JP trainers, was conducted in early 2010. The Rostov Branch of the Russian Academy of Justice and the Rostov regional court selected the 20 participants, mainly professors of Rostov Branch of the Russian Academy responsible for JP training, as well as several judges of the Rostov regional court. The program included a demonstration of the various interactive methods: interactive lecture, brainstorming, discussion, demonstration, small group workshops and role-playing. Participants discussed peculiarities of the education programs for adults such as personal experience, critical self-evaluation and time management.

As a result of the training participants learned how to develop a 45-minute interactive class on the following topics: (1) Fairness of the Trial: general approach; (2) Ethical Requirements to the Justice of the Peace that Ensuring Fairness of the Trial, (3) Peculiarities of Consideration of Private Charges by the Justice of the Peace.

In September 2011, RLPP partnered with the Northwestern Branch of the Russian Academy of Justice to hold a second ToT Seminar, with participants including 24 educators from St. Petersburg and Leningrad Oblast and two (2) participants from Arkhangelsk Oblast. The ToT again focused on demonstrating and then teaching various interactive methods, and at the end of the training, participants were required to present their own brief 30-minute lesson using – and therefore internalizing – these methods.

During evaluative interviews at the end of the event most participants (about 75%) stated that they would try to use interactive methods in their everyday teaching practice. They highly rated the skills and the teamwork of the experts, and most of the participants stated that their knowledge had been increased by the training. As a result of the ToT, the Northwestern Branch of the AOJ tentatively agreed to partner on judicial skills and judicial ethics seminars for judges in future projects.

Developed Supplemental Training Courses on Analytical Skills and Judicial Ethics

Due to limited funding and a shift in focus on the Model JP Courts in the three target regions, RLPP did not implement its revised 40-hour comprehensive training curriculum, but handed it off to the AOJs for them to use in their own training programs. Instead RLPP used remaining funding to develop supplemental training modules and materials for JP trainings in partnership with the Northwestern Branch of the Russian Academy of Justice. RLPP developed two (2) new judicial skills courses, one on analytical skills, the other on judicial ethics. The analytical skills curriculum focuses on skills such as writing opinions and orders, and administration and management. The judicial ethics curriculum contains four (4) major themes: practical applications of ethical norms, methods for working with moral and ethical conflicts faced by JPs, recognizing and resisting manipulation related to corruption, and dealing with emotional situations in the courtroom. Both curricula were approved by the Northwestern Branch of the AOJ.

In total, RLPP conducted four (4) judicial skills trainings: a ToT seminar for analytical skills; a ToT seminar for judicial ethics; an analytical skills training; and a judicial ethics training. In March 2012, RLPP held, with the Northwestern Branch of the AOJ, a ToT seminar for judges and law professors of the Branch on analytical skills and methods of teaching of these skills to other judges and JPs as a means of ensuring the sustainability of the course. The group included 12 JPs and eight (8) judicial educators, selected by the Northwestern Branch of the Russian Academy of Justice. RLPP demonstrated methods of practical education for acting judges despite the fact that these methods are still unusual in most educational entities in Russia, including those involved in continuing legal education. RLPP emphasized interactive teaching methods in this course, noting that lack of experience in interactive teaching decreases the level of effectiveness of any kind of continuing legal education curricula. The agenda of the analytical skills ToT seminar included a demonstration of particular interactive methods that can be used to train judges on developing and using analytical skills.

In April 2012, RLPP conducted an ethics skills training for JPs in St. Petersburg at the Academy of Justice. The training was organized for 20 newly-appointed JPs who had previously participated in a two-month CLE course. Fifteen (15) JPs attended the training. Topics for the training included: psychological aspects of interactions between a judge and participants of the hearing, ways of avoiding professional burnout, resistance to manipulation, adequate reactions to emotional behavior, a scheme for working with a moral and ethical conflict, and an oral speech on ethical and moral topics.

The CLE program dean at the Academy of Justice (AOJ) requested that the training be included in the annual CLE program implemented by the AOJ. RLPP also received a letter of gratitude and recognition from the AOJ rector, and the Northwest Branch of the AOJ reported to RLPP that this program was invaluable in providing needed skills to judges in a hands-on format, a format rarely used to train judges.

Developed a Judicial Bench Book

To increase access to judicial reference books, RLPP—in cooperation with Russian judicial experts—developed, published, and distributed a comprehensive Bench Book for JPs, *Handbook for Justices of the Peace*.

The book serves as a one-stop reference guide and includes information on the different aspects of the day-to-day work of JPs, including criminal and civil procedure, and new possibilities to increase access to justice through the use of mediation to resolve cases in the Justices of the Peace Courts under the newly enacted Law on Mediation. In a random sample of 31 Bench Books users surveyed, 90% provided favorable reviews. Bench Book users reported that the most interesting

and useful parts of the publication were those dealing with specialized knowledge such as chapters on expert examination procedures, judicial writing skills, preparing official judicial documents, and issues concerning implementation of mediation procedures. Judges stated that the book would be very useful for young judges.

In 2010, RLPP published 5,000 copies of the Bench Book and distributed them among the JPs and court administrators in nineteen regions of Russia, including the Republic of Tatarstan, Archangelsk Oblast, Irkutsk Oblast, Krasnodar Krai, Krasnoyarsk Krai, Leningrad Oblast, Novosibirsk Oblast, Perm Krai, Pskov Oblast, Samara Oblast, Smolensk Oblast, Stavropol Krai, Sverdlovsk Oblast, and Voronezh Oblast, in addition to the prior distribution in Nizhniy Novgorod Oblast, Rostov Oblast, and limited distribution in Belgorod Oblast, Tver Oblast and Ulyanovsk Oblast.. An electronic searchable version of the Bench Book was also published in December 2010 and placed on the RLPP website for wider dissemination.

In September 2012, RLPP completed work on its revised Bench Book, *Handbook for Justices of the Peace*, which incorporated recommendations received from an evaluation and working group meetings. RLPP printed an additional 1,500 copies and 2,000 electronic copies of the bench book were published and distributed among project partners in Moscow, Saint Petersburg, Arkhangelsk and Rostov-on-Don.

Conducted Judicial Exchanges

RLPP conducted two (2) study tours to the state of Delaware. The first study tour occurred in Delaware in December 2009 and included three (3) JPs from Leningrad Oblast and two (2) from the Republic of Karelia. The second study tour took place in July 2010 in Delaware with three (3) justices of the peace from Rostov. During the two (2) study tours of Delaware, topics covered included: judicial education; dealing with cases on divorce, domestic violence, and juvenile justice cases; civil and criminal processing, including video conferencing capability; and the interplay between agencies such as the Attorney General and Public Defender's offices and the Justice of the Peace courts.



As a result of site visits, demonstrations, and discussions, the Russian delegates learned about court technology and court security systems available in Delaware, statewide video court systems, court automation and electronic court access systems, how they were introduced, how they affect court practice, and what problems may arise in day-to-day operations of these systems. They also learned about public information access and public information programs developed in Delaware to improve public confidence in the courts. Delaware JPs shared with their Russian counterparts their training and mentoring system and explained how they teach new JPs to preside in trials.

Unfortunately, due to the requirements of Law 274, prohibiting judges from traveling on trips paid for by foreign entities, RLPP restructured and re-allocated funding to support the above-mentioned ToT programs.

OBJECTIVE B: IMPROVED AWARENESS OF LEGAL RIGHTS FOR CITIZENS USING THE LEGAL SYSTEM AND AN ENHANCED CAPACITY TO ASSERT SUCH RIGHTS

In order for public confidence in the justice system to increase, the public must be informed about their rights and possess the knowledge of how to exercise those rights. Citizens also must have access to both legal services and the courts in order to perceive concrete ways in which they can enforce and protect their rights. RLPP's overall strategy for improving the awareness of ordinary citizens of their legal rights in the Russian legal system (legal literacy) and for increasing their ability to assert these rights (access to justice) involved using the data and conclusions of independent sociological surveys conducted in pilot regions and the recommendations of RLPP's local partners—advocates, lawyers, NGOs, social service agencies, and government officials—to determine the content and establish priorities for its work within the framework of the RLPP.

To improve awareness of legal rights for citizens RLPP launched a broad scale campaign:

- RLPP developed series of legal literacy seminars for citizens, pro se litigants, and those helping citizens to exercise their legal rights.
- RLPP also began a broad “know your rights” campaign in each pilot region through which we distributed a series of brochures addressing common legal problems.
- RLPP developed legal aid directories for all three pilot regions. It also conducted legal aid trainings—one in each pilot region—for lawyers working with indigent populations.
- RLPP also helped launch two (2) Free Legal Aid Networks (FLANs), which provided direct services to citizens in Ulyanovsk and Leningrad regions. In order to promote the sustainability of these networks, RLPP organized a widespread outreach campaign which included the launch of FLAN Hotlines in Ulyanovsk and Leningrad, as well as a massive advertising campaign including flyers, brochures, and newspaper and television advertisements.
- In order to help *pro se* litigants, RLPP distributed brochures on how to apply to court and created court forms which were placed on NGO websites. To encourage strategic litigation, RLPP conducted trainings on the subject and supported three (3) strategic litigation cases.
- RLPP worked to increase the use of alternative dispute resolution (ADR) through trainings, publications and the opening of a Mediation Center in the Rostov region. RLPP trained mediators, court judges and advocates on ADR techniques. It also developed and published two (2) comprehensive books on mediation. And in 2011, it helped open the Mediation Center in Rostov.

Highlights by the Numbers:

- 2,400 people interviewed regarding their awareness of legal rights and processes.
- 350 participants trained in 10 legal literacy seminars.
- 12 brochures developed as part of the “Know your rights” campaign.
- 55,000 brochures distributed as part of the “Know your rights” campaign.
- 8,500 copies distributed of legal aid directories developed for pilot regions.
- 587 advocates trained by RLPP at 25 trainings on free legal aid and legal aid coordination.
- 2 Free Legal Aid Networks (FLANs) and Hotlines launched.
- 4,800 consultations and referrals provided to poor and needy citizens by FLANs.
- 1 million flyers distributed to promote the FLAN Hotlines.
- 15 lawyers trained in strategic litigation trainings.
- 3 strategic litigation cases supported.
- 50 fillable court forms created and placed on NGO websites.
- 6,000 evaluation interviews conducted to evaluate FLAN system.
- 1 Mediation Center opened in Rostov region.
- 93 cases taken on in 2011 by 18 mediators in Rostov Mediation Center.
- 2 books published on mediation.

Increased Public Awareness of the Legal System

Conducted Public Awareness Surveys

During 2009 and 2010, RLPP, in cooperation with a team led by sociologist Sergei Kruchkov of the Center for Legal Programs in Moscow, conducted surveys assessing the “Public Perception of the Justice of the Peace Court System,” using questionnaires filled out by court-users and ordinary citizens, in-depth interviews with court-users and ordinary citizens, and consultations with specialists in RLPP’s pilot regions. The main objectives of RLPP’s initiative in sociological research were to address the familiarity, accessibility, responsiveness, and efficiency of court procedures and administration; to identify obstacles to access to JPs; to determine the attitudes and needs of actual and potential court users (including also gender-based concerns); to examine the role of legal and judicial information in the interaction between courts and the general public; to analyze public access to judicial decisions; and to create a baseline of data.

Field work for the surveys was conducted in Rostov, Leningrad, and Nizhniy Novgorod regions with a total of 1,200 persons covering 315 localities surveyed, 468 of whom were male and 732 female. Of the interviewees, 70% were between 25 and 55 years old, 40% had a university degree, and 40% were highly qualified specialists. As part of the quality control over the data, all questionnaires were examined for their validity and reliability.

The **baseline survey** piloted in 2009 revealed an encouraging and dominant trend in public attitudes in the surveyed regions indicating their fundamental respect for the law. The survey also showed that consultation with a legal professional represents the most significant factor in increasing the respondent’s legal literacy. Those who have utilized the JP courts gave an overall positive response concerning both the individual and professional traits of the JPs, but complained about the inadequate infrastructure of the courts. Inefficiency, excessive paperwork, and superfluous rules and instructions make JP courts a less appealing means of legitimate conflict resolution. The survey also concluded that information provided by the JP courts regarding their activities is not always sufficient. Only 13 percent of the respondents who deal with the JP courts consider themselves to be well informed.

Two important conclusions were drawn from this data: First, RLPP concluded that strengthening the role of legal advocates in disputes resolved both in and outside court will further the public’s legal awareness and, as an indirect consequence, will increase the efficiency of the JP courts. Second, RLPP concluded that it would be necessary to create a comprehensive education campaign using all available means of communication (television programs, educational brochures and booklets, newspaper publications, public campaigns, and subject-specific internet sites.)

During 2010, RLPP administered **follow-up surveys** in all three pilot regions to measure change in the responses and progress to date and to identify new trends and needs among ordinary citizens. The lead sociologist administering the follow-up survey selected several regional centers in pilot regions and villages with a population of more than 3,000. Citizens with previous interaction with JP courts were selected for the survey. RLPP surveyed a total number of 1,200 citizens in 70 settlements and 30 villages in the project’s pilot regions of Nizhniy Novgorod, Rostov, and Leningrad oblast.

The results of the follow-up surveys confirmed that, in all three regions, access to counsel is the most effective instrument for improving access to justice, legal literacy, and faith in the legal system. In addition, the surveys found that the number of citizens prepared to turn to the JP Courts to resolve disputes has increased, reflecting greater faith in the court system; demand for

information on applying to the JP Courts has concomitantly also increased; and problems with documents filed in the JP Courts has decreased, especially in Nizhniy Novgorod.

The survey demonstrated that the level of awareness of the population having experience of applying to JP courts has risen. The number of citizens who evaluated the level of their awareness as "good" has increased from 12.8% to 17.3%. Conversely, the number of citizens who now marked knowing "practically nothing" about the activities of JP courts has decreased. The trend in the growth of applications to the JP courts, as well as the increase in repeat applications, suggests the development of communication processes between citizens and the JP bodies.

Conducted Legal Literacy Seminars

To address the findings of the initial survey, RLPP held multiple seminars in each of the three (3) pilot regions on legal literacy and access to justice with stakeholders, including NGOs, court personnel, ombudsmen, government officials, advocates, and lawyers, and presented the findings of the surveys published in hard copy and on the RLPP web site. In total, RLPP conducted ten (10) legal literacy seminars from 2009 to 2011 for a total of 350 advocates, NGOs and local leaders.

In 2009, RLPP conducted three (3) legal literacy seminars for a total of 116 participants. To strengthen the impact of these seminars, RLPP involved regional partners as co-sponsors including the regional chambers of advocates and the regional branches of the Association of Russian Lawyers. Through these partners, RLPP was able to invite a broad array of participants from local government administrations, NGOs, and others working with the public. During the seminars, participants received handout materials on a wide array of issues, including gender rights, domestic violence, labor rights, discrimination, human trafficking, sexual violence, sexual harassment, and domestic violence prevention. The objectives of the events were to assess citizens' legal awareness in the regions and access to the justice of the peace courts, federal courts, free legal services, and legal reception rooms; and to analyze and consider potential approaches to strengthening public awareness in the region based on its particular resources, achievements, and limitations.

Participants in the Nizhniy Novgorod, Ulyanovsk and Leningrad regions expressed considerable interest in cooperating with RLPP on promoting public legal awareness through publications and other events and in establishing a coordinated, qualified, and effective model for delivering free legal aid in the region. The participants designated a working group that identified and verified all providers who currently offer legal services to the public in all three regions free of charge and RLPP published and widely distributed this resource in print and electronic form – Free Legal Aid Directories.

In 2010, RLPP conducted four (4) legal literacy seminars on the preliminary results of the follow-up surveys in each of the pilot regions of Nizhniy Novgorod, Rostov-on-Don, Ulyanovsk, and St. Petersburg for a total of 103 participants on the public's access to justice and free legal aid services in the region. The main objectives of each legal literacy seminar was to promote discussion surrounding the results of the follow-up survey on "Public Perceptions of the Justice of the Peace Court System," and on access to justice and free legal aid services in the region.

In 2011, RLPP conducted additional legal literacy seminars in Rostov, Nizhny Novgorod, Saint Petersburg, and Ulyanovsk, which 131 local leaders attended. At these seminars, RLPP distributed its booklet on "Taking a Case to the JP Court," developed in 2010. Participants discussed the relationship between the judiciary and civil society, how the two can interact to allow civic monitoring of judicial and court activities, how they can partner together on specific

projects (such as advocating for funding to provide information or legal aid to vulnerable groups), the criteria under which a court system can be measured to be effective, the informational needs of litigants when petitioning a JP court, and the structure of public information requirements currently placed on the courts.

Surveyed participants agreed that legal literacy seminars were extremely useful and introduced them to international approaches utilized to evaluate and measure the efficiency of national courts. They provided a venue for discussing the problems facing the courts and the community, and discussing methods of increasing the effectiveness of the court system including access for litigants and the openness of the judiciary. Participants believed that the seminars helped them address some of the obstacles to developing relationships between judges and civil society.

Issued and Distributed Brochures and Guides

RLPP also conducted a broad “Know Your Rights” campaign in each pilot region through a series of **13 booklets or brochures** addressing common legal problems involving legal aid, family law, domestic violence, residential registration, probate, consumer protection, retaining an advocate, taking a case to a JP court, private prosecutions, land disputes, labor law, children’s rights, and the rights of disabled persons. RLPP published and distributed these know-your-rights brochures in great quantities throughout the four-year program.

In 2009, it **developed three (3) brochures**: (1) Free Legal Aid; (2) Divorce, Alimony, and the Division of Property: Frequently Ask Questions; and (3) Domestic Violence: Criminal Proceedings in Private Prosecution Cases in the Justice of the Peace Courts. RLPP published 9,000 copies of each brochure and disseminated them widely throughout the Rostov region.

In 2010, RLPP **developed four (4) additional brochures**: (1) Registration at Your Place of Residence; (2) Consumer Rights Protection; (3) What to Ask Your Advocate; and (4) How to Prepare Documents for Inheritance. It published 5,000 copies of each these first two brochures and a further 10,000 copies of the latter two brochures, and these brochures were distributed throughout all three pilot regions.

In 2011 and 2012, RLPP developed, published, and **distributed six (6) additional** know-your-rights brochures on the following human rights topics: (1) Protection of Labor Rights; (2) Children’s Rights Protection; (3) Protection of Draftees’ Rights; (4) How to Take a Case to the JP Courts; (5) Disability Rights; and (6) Defending the Rights of Patients. RLPP’s partners in various regions distributed 5,000 copies of each of the brochures to local NGOs working with poor citizens and citizens who may access the court system to enforce these rights. The organizations also provided the brochures to their own members and clients. The brochures are therefore an additional resource used by RLPP’s local partners to help explain the client’s rights in a particular type of case or situation. In total, RLPP distributed over 55,000 know-your-rights brochures.

Improved Coordination Between Courts and Civil Society

In 2011 and 2012, RLPP—in partnership with the Center for Legal Programs and other civil society groups—organized five (5) roundtables on the interaction between courts and civil society. Topics discussed at these roundtables included issues such as the transformation of judicial power, judicial institutions and practice toward more open and transparent processes, the role of civil society as a monitor and evaluator of the effectiveness of the court system, freedom of information and the importance of public awareness of court cases and outcomes and methods for ensuring this access, and transparent methods of appointment of judges that involve community participation.

Changing the Relationship Between Courts and Civil Society: These roundtables had a deep impact in moving toward improved relationships between judges and civil society. Previously, in Russia, it was rare for judges to engage at all with civil society. But throughout these roundtables, judges actively engaged with, and even argued with, their civil society counterparts to produce a real debate regarding the optimal level of public responsiveness and accountability of the judiciary, and the level of civil society knowledge and expertise that should be expected when civil society engages in review, oversight, or other official relationships with the judiciary. NGO representatives raised serious questions regarding the corruption, lack of openness, and lack of accountability of the judicial system. These questions met with a lively response, with judges in some cases continuing to discuss reports even after the meetings were over.

In total, these roundtables brought together 381 judges, journalists, and NGO members in seven (7) regions (Rostov, Nizhny Novgorod, Ulyanovsk, Perm, Yaroslavl, St. Petersburg and Moscow) for open forums on relationships between the judiciary, the court system, and the public. As a result of these forums, the judiciary in Nizhny Novgorod improved the availability of information to the public, and discussion clubs were created in Perm and Nizhny Novgorod.

Increased Access to Justice

The resounding conclusion from the baseline and mid-term surveys, mentioned above, was that the single most important factor in improving legal literacy, faith in the court system, and access to the courts, is access to legal counsel. The inherent complexity and unfamiliarity of legal proceedings and the lack of accessible and affordable legal services are major contributing factors to citizens' inability to assert their legal rights and to understand and use the legal system in the Russian Federation. According to reliable estimates, some eighty per cent (80%) of the Russian population cannot afford to pay for needed legal services. Although there is a random patchwork of free legal aid available in different regions, including the bar chamber, legal clinics attached to law schools, NGOs of various stripes that offer consultations in different areas (military service, consumer protection, torture, veterans, the disabled, women, children, etc.), ombudsmen for human and children's rights, reception rooms of political parties, occasionally major international law firms in the largest cities, and individual pro bono attorneys (advocates and non-advocates), these services are often not generally known to the general public, and are unreliable and haphazard. In addition to these conclusions, there was a general recognition that the requirement of the Russian Constitution to provide all citizens with competent legal aid is not being fulfilled. To assist with these problems and provide a viable model solution, RLPP began to work in three pilot regions - Nizhny Novgorod, Leningrad Region, and Ulyanovsk, to increase the public's access to justice.

Increased Pro Bono Culture in Pilot Regions

In 2009, RLPP began an active campaign to establish a network of lawyers to provide reliable and competent legal advice and representation for citizens who cannot afford to pay for legal services. After conducting expert group meetings and round table discussions with the key players in the three pilot regions of Leningrad-St. Petersburg, Ulyanovsk, and Nizhny Novgorod, RLPP found considerable enthusiasm for increasing pro bono culture. As part of this campaign RLPP conducted a lawyers' meeting in Saint Petersburg for fifteen (15) active advocates of the Leningrad Region. A significant outcome of the meeting was the establishment of a Pro Bono Lawyers Club. The Pro Bono Lawyers Club conducted a number of meetings and took on a

significant role in the administration and coordination of the Saint Petersburg Free Legal Aid Network. In one example of the club's potential to improve access to legal services, students and professors of a local legal clinic in St. Petersburg, who had previously participated in RLPP pro bono lawyers trainings, contacted an active member of the Club, a leading specialist in social service law, to obtain legal assistance on a pending case. With guidance from this expert the volunteer lawyers presented the case on appeal and won.

As a result of RLPP's work the President of the Ulyanovsk Region Chamber of Advocates, the Chamber acknowledged that free legal aid was a work-in-progress, in part because of the absence of earmarked funding. As a result of this meeting, at the suggestion of RLPP, the Ulyanovsk Chamber decided to include in its "Regulations on the Chamber of Advocates in Ulyanovsk Region" a special provision which credits the hours of an advocate's pro bono work against the mandatory one-hundred hours of CLE that advocates are obliged to complete every five years to retain their advocate status. In addition, the Chamber also agreed to create an annual award for the outstanding pro bono advocate of the year to be presented at their annual meeting of advocates.

Developed Free Legal Aid Directories

In 2009 and 2010, RLPP surveyed all local providers of free legal aid in our three pilot regions and used this information to develop and distribute three (3) directories on free legal aid in these regions. RLPP distributed a total of 4,200 directories: 1,750 copies in Leningrad, 700 copies in Ulyanovsk, and 1,750 copies in Nizhniy Novgorod regions, and included these directories on its web site, www.rlpp.ru, and on the site www.pro-bono.ru. During 2011 and 2012, RLPP updated the first editions of the Ulyanovsk and Nizhniy Novgorod directories and distributed 4,720 in Ulyanovsk Region and 600 in Nizhniy Novgorod.

These directories provide a comprehensive and accurate compilation with contact and other detailed information for all available free legal aid providers in each region. Each Directory is organized and cross-referenced based on: (1) the kind of legal provider involved, (2) the geographical location, (3) the types of legal cases handled, (4) the extent and type of services provided, and (5) alphabetical order.

Conducted Free Legal Aid Trainings and Legal Aid Coordination Meetings

From 2009 to 2012, RLPP conducted a series of Free Legal Aid Trainings and Legal Aid Coordination Meetings. In total, RLPP conducted 25 such trainings for a total of 587 participants during the course of the grant.



During 2009 and 2010, RLPP developed and conducted nine (9) Free Legal Aid trainings, one in each pilot region, for 203 lawyers working with the indigent and socially unprotected. These trainings provided practical information and guidance on (1) the psychological aspects of a client-centered approach in working with indigent clients; (2) the legal skills of interviewing and counseling

clients; and (3) sensitivity to gender implications and family abuse. Due to intense interest and need, RLPP then continued to work with free legal aid providers, local lawyers, and local law firms to develop a mechanism of coordination for their services, avoid duplication, and ensure reliable referrals of clients.

Post-training evaluations indicated that the majority of the participants rated the training as very useful and relevant to their daily work. The participants confirmed their commitment to participate in the RLPP events related to its coordination of pro-bono lawyers' activities, and requested further cooperation on issues such as working with indigent clients; identifying the legally cognizable aspects of a problem with difficult clients; preventing burn-out; and consulting at a hotline.

RLPP continued to conduct Free Legal Aid trainings in the three pilot regions throughout 2011 and 2012, conducting a total of 11 additional trainings for over 200 lawyers. RLPP also conducted a number of Legal Aid Coordination meetings in 2011 and 2012. In these meetings, participants discussed problems with providing coordinated and comprehensive free legal aid in the pilot regions. Participants discussed attempts to promote free legal aid, the level of interest among advocates to render subsidized legal aid, who might be able to change the existing situation, how to cooperate with regional courts to improve the provision of free legal aid, and how to cooperate with federal agencies. In total, RLPP conducted six (6) Legal Aid Coordination meetings in 2011 and 2012 for a total of 90 participants.

Conducted Free Legal Aid Study Tour



Following up on these positive results, RLPP conducted a U.S. study tour for eight (8) of the more active and committed free legal aid providers from the three pilot regions. The delegation included two (2) presidents of regional Chambers of Advocates, as well as activist advocates and lawyers, a director of a legal clinic, a representative of the Ombudsman for Children's Rights, and directors of local NGOs. The goal of this study tour was to show participants how free legal aid can be supported, coordinated, delivered, and supervised to ensure competence and quality of services. Participants were exposed to different models of structuring and delivering legal aid, including a volunteer lawyer network, a government subsidized legal services corporation, and a private legal aid network. The delegation met with representatives of the Vermont Volunteer Lawyers Project, a grassroots network of pro bono legal aid; attended a day-long workshop by Committee Counsel of the ABA Standing Committee on Pro Bono and Public Service; met with lawyers from the Volunteers of Legal Service (VOLS) in NYC, which coordinates pro bono opportunities for large New York law firms; had a meeting with attorneys representing the NYC Bar Justice Center's projects; met with lawyers from the Legal Aid Society, the oldest and largest private, non-profit legal services organization in the nation; and had a meeting with attorneys from Legal Services NYC, the largest government-funded (in part) organization devoted to providing free civil legal services in the United States.

All participants expressed their gratitude at being able to learn from the U.S. model of Free Legal Aid by allowing them to explore different structures for delivering free legal aid in urban and rural settings, to identify mechanisms for ensuring the quality of the legal services provided (such as feedback from clients) and accountability of the providers, and to deepen their knowledge of

the internal administration and tracking of free legal services to clients who cannot afford a lawyer. All participants were eager to utilize their new found knowledge in when working on RLPP's two FLAN.

Established Free Legal Aid Networks (FLAN) and Hotlines and Publications

As a result of the study tour and the “Free Legal Aid” trainings provided by RLPP, active individuals used the experience and knowledge gained through the study in this study tour and trainings to establish their own unified, consolidated systems of legal aid. In March 2011, RLPP helped launch two (2) Free Legal Aid Networks (FLANs), one in Ulyanovsk Region and the other in Leningrad Region, in partnership with regional governmental and non-governmental organizations. Staffed with local attorneys, the legal aid centers offer *pro bono* in-person and telephone legal consultations and referrals to underprivileged populations.

Over the course of 2011, the Ulyanovsk FLAN provided services to 717 citizens, of whom 71% were women. At the St. Petersburg FLAN, legal services were provided to 531 citizens, of whom 80% were female. In 2012, these legal aid networks greatly expanded their operations, providing legal consultations and referrals to over 3,600 individuals, a 500% increase on the previous year. The legal aid networks provided legal services on a broad range of issues, including: administrative law, housing law, consumer rights, inheritance, damage recovery, pensions, family law, labor law, criminal law, child custody, domestic violence, land disputes and other issues.

FLAN Hotlines provided access to services to clients who previously had no information regarding where they may obtain legal services or enforce their rights. FLAN operators connected clients with services such as:

- A 55 year-old man from Ulyanovsk Region, with no right to free legal aid under the current law, lost his house in a fire but did not received the compensation guaranteed him by the government. An RLPP dispatcher staffing the hotline explained the caller's rights, suggested which organizations and courts that could provide assistance, and outlined for the man what documents he would have to provide in order to make the complaint for his compensation.
- A woman from Saint-Petersburg, with no right to subsidized legal aid under the current law, brought a domestic violence case to the RLPP volunteer. Her husband had beaten her and she wanted to make a legal complaint. The RLPP lawyer explained her rights and referred her to the NGO Women's Crisis Center, an organization that specializes in protection of abused women and children.
- A 75-year- old woman from Leningrad Region, with no right to subsidized legal aid under the current law, requested assistance because she received low-quality medical services at a local medical center. The consultant explained her rights, and explained how to complain to a local court and what court she could complain to; the consultant also explained what documents she should provide to the court. The consultant then referred the client to NGO Healthy Future, an NGO that specializes in medical issues.
- A 35 year old woman came to the Free Legal Aid Network complaining that her employer had refused to pay the monthly child care stipend owed to her, on the grounds that the institution had reorganized and her position had been abolished. The advocate helped her prepare the necessary documents to petition official bodies (the State Labor Inspection) and the local court (the court of general jurisdiction).

FLAN Advertising- to advertise the launch of FLAN Hotlines in Ulyanovsk and St. Petersburg Leningrad Region RLPP carried out a broad outreach campaign. Working with PR agencies in Ulyanovsk and St. Petersburg the FLANs distributed informational flyers, advertising in local

newspapers, TV channels, and radio shows. In 2011, RLPP developed and printed almost 50,000 copies of informational flyers that included information about the phone number, location, working hours, and services provided. The flyers were disseminated throughout advocate bar chambers, state and municipal organizations, NGOs, universities, courts, social protection offices and other social services, advocates' offices and institutes. Many flyers were distributed by the local postal services directly to the homes of Ulyanovsk citizens, with distribution costs were fully covered by the Ulyanovsk Regional Chamber. In 2012, RLPP distributed over 1 million flyers and an additional 20,000 printed materials such as calendars and larger flyers at bus stops.

RLPP also placed advertisements in popular newspapers. In 2011, it placed 12 newspaper advertisements in the large regional newspapers of Ulyanovsk and St. Petersburg, as well as 48 advertisements in local newspapers in Ulyanovsk. These newspaper advertisements reached an estimated 2,500,000 viewers, with many hotline callers stating during their initial consultation that they learned about the hotline from the publications in the newspaper. In 2012, RLPP followed up on this success by placing an additional 20 newspaper advertisements.

RLPP was profiled on the regional TV Channel “Reporter” (<http://www.reporter73.tv/community/4573--urpomozh.html>). The segment showcased the FLAN hotline and its daily work of consulting clients and referring them to local organizations or *pro bono* attorneys. As citizens of Ulyanovsk became more informed and interested in the FLAN hotline, reporters interviewed FLAN Hotline dispatchers on TV describing the work of the hotline. During March 2011, 34 registered clients admitted they dialed the number after hearing about the hotline on TV.

Developed Booklets and Website-

RLPP developed and distributed booklets and brochures on legal topics of concern to the population for widespread distribution in all its pilot regions.

- In 2011, RLPP published 2,000 copies of the brochure “How to Apply to the Justices of the Peace Court” for the Ulyanovsk regional bar chamber. The brochures were distributed in bar chambers, and state and municipal organizations, including the Ministry of Labor and Social Development, the Ministry of Education, the Ministry of Transportation, the Pension Fund, Notarial Chambers, Ombudsman Offices, NGOs, and universities.
- RLPP also developed and published 2,000 copies of its new practical guide for advocates and lawyers on free legal aid, which is entitled “Free Legal Aid: Practical Skills for Work with Clients,” with the assistance of St. Petersburg’s Prince Oldenburg Institute of Law.

Websites- RLPP worked with a web designer to create two free legal aid interactive websites, one for Ulyanovsk (ulpomosh.ru) and one for St. Petersburg (spbpomosh.ru). The websites contain a database of free legal aid services available in each region: St. Petersburg/Leningrad or Ulyanovsk. All resources are searchable by topic, name, and location. The website also maps the locations of these services and will provide the user directions from her location. A feedback mechanism/forum connected to Facebook and Vkontakte allows consumers of free legal aid services to note whether the services at a particular organization were effective or not, or to note whether a service no longer exists, and provide other feedback. The website also contains a form where members of the public may ask legal questions and receive a response from an advocate.

Supported Strategic Litigation

To further enhance access to justice in Ulyanovsk and St. Petersburg Leningrad Region, RLPP launched a program on strategic litigation. The goals of this aspect of the program were to increase the use of strategic thinking on the part of lawyers and advocates representing individuals in cases involving repeated violations of human rights; and to educate young lawyers

about the use of strategic litigation to effect policy change. The strategic litigation program was also intended to increase coordination between lawyers and activists in approaching legal and social issues through co-implementation of litigation and other methods of advocating for change.

To initiate the program, RLPP arranged a two-day international conference entitled “Strategic Litigation in Russia,” which took place on May 24-25. The goal of this conference was to discuss the particular nature of conducting impact litigation in Russia, and to support discussion among experienced litigators, media experts, and young lawyers and activists, regarding real issues that might be addressed through the use of strategic cases. In total, 75 participants attended the conference.

To identify potential cases that RLPP could support under the banner of its strategic litigation program, RLPP reached out to a network of universities, student groups, FLAN members, and other interested parties. With the help of partners, RLPP was able to identify and prepare (3) cases: *a free speech case; a labor law case; and an LGBT rights case*. Once each case was identified, each litigating organization partnered with RLPP to develop a strategy, choose experts, and prepare petitions in support of the case. RLPP helped to create a working group on each case and began connecting the teams with PILnet and law firms to organize lawyers interested in working on these strategic litigation cases *pro bono*.

Free Speech- RLPP partnered with the Freedom of Information Foundation (FIF) regarding a case designed to challenge current vague definitions of criminal use of private information in the European Court of Human Rights. The problem sought to be remedied by the case is that the definition of private information is not clearly outlined in Russian law, and a large number of cases, criminal and civil, have been brought charging individuals with violations under these vague principles, in particular when they publish politically sensitive information. The case was filed in the ECtHR August 2012 with RLPP assistance. The decision in the case is still pending.

Labor Law-RLPP partnered with the Center for Social and Labor Rights to support a case on protection of the rights of temporary employee benefits. The RLPP-supported campaign sought to obtain a precedent recognizing the actual employer (here, Citibank) as a legal employer for purposes of obtaining compensation for violations of labor rights, such as poor working conditions or harassment, or failure to provide any pregnancy leave, vacation or sick time. RLPP assisted the Center for Social and Labor Rights by organizing an expert group to develop the legal claims as well as a media strategy. RLPP worked on this case for several months and assisted the lawyers to file several motions.

RLPP found out that a lawyer that was on the expert team that helped prepare this case, Sergey Truchev from Perm, won a similar case – the first win in this type of case in Russia – in June 2012, after assisting with the RLPP case.

LGBT “propaganda”- In the final case, RLPP supported a St. Petersburg lawyer, Dmitri Bartenev, in challenging a St. Petersburg law prohibiting discussion of what is termed LGBT “propaganda” – a law that uses an overbroad definition of propaganda to essentially prohibit discussion of LGBT persons as equal to heterosexual persons. The challenge was filed in the statutory court of St. Petersburg in August 2012. With the support of RLPP, Mr. Bartenev was able to contact experts in both Europe and the United States and obtain expert opinions regarding the effect of the St. Petersburg law on LGBT persons. The case was originally set for hearing on September 27, 2012, however just before that date the court rescheduled the hearing to November 7, 2012. In November, one of the judges recused himself from the case, which caused further delay since a full court must assemble to hear the case. Currently, the court is seeking a new

judge to fill the vacated slot for this hearing. Mr. Bartenev believes that the recusal was a tactic used by the court to allow it to avoid hearing the case. As of January 2013, the case has still not



been set for hearing. However, Mr. Bartenev has been able to publicize the case and link it to similar cases pending in other regions of Russia challenging similar laws. He was also able, with RLPP assistance, to draft a petition challenging the law that will be sent to the ECtHR. He also challenged St. Petersburg's denial of permission to conduct a gay pride march in this petition, since the denial was based on the anti-propaganda law.

Trainings for Young Lawyers

To educate young lawyers regarding the methods used in strategic litigation, RLPP also conducted a training for 15 young lawyers in partnership with the Center of Social and Labor Rights on methods of using new media technologies in strategic litigation cases. In addition, RLPP partnered with the Freedom of Information Foundation to train 18 young lawyers on litigating free speech issues, using the Suprun case as an example.

Two of the young lawyers that participated in the training were able to assist the Freedom of Information Foundation with the case on a volunteer basis, where they learned firsthand the methods of developing and presenting an impact case.

Provided Court Forms and Support to Pro Se Litigants

In 2011, RLPP attempted to negotiate with local justice of the peace courts in Rostov and Nizhniy Novgorod, and with the Court Department at the Federal Level, to place fillable forms on JP websites. Unfortunately, while JPs were very excited about the idea, the proposal was rejected by heads of the Regional Courts and by the Court Department. RLPP was not able to post the fillable forms on court websites. Instead, RLPP coordinated with several organizations to improve access to court forms and support pro se litigants. RLPP worked with NGOs such as AGORA, Invatur, and the Freedom of Information Foundation and with law clinics—including the clinic at the Higher School of Economics in Nizhniy Novgorod and several clinics in St. Petersburg—to post court forms and instructions for completing them on these organizations' websites.

RLPP created fifty (50) fillable court forms and placed these forms online on NGO websites, allowing the public and NGO members to select the proper form, more accurately complete the form, and provide relevant and necessary information to the court in order to make the court process more effective. Citizens petitioning the JP courts can now locate the necessary forms and complete them online, and print them out for use.

Conducted Evaluations of Free Legal Aid Networks (FLANs)

In summer 2012, RLPP conducted an evaluation to measure the “Effectiveness of FLAN system work in Ulyanovsk region and St. Petersburg.” Over the course of a month, RLPP's monitoring expert and a trained team of monitors interviewed three (3) categories citizens from three (3) demographic groups: 1) People 18 and older living in the St. Petersburg, and Ulyanovsk Region who have had direct experience with the FLAN system (a total of 4,000 citizens meeting these criteria were interviewed); 2) Advocates or NGO representatives who interact with the FLAN (a total of 160 people meeting these criteria were interviewed); and 3) Citizens who have not previously interacted directly with the FLAN (a total of 2,000 people meeting these criteria were interviewed).

The questionnaire asked participants about some of the following issues: 1) The citizen's needs from the FLAN system (cases, population groups, kind of services); 2) How citizens use the information regarding the FLAN system (popularity, reliability, utility, accessibility); 3) What changes ordinary citizens experienced after direct interaction with FLAN; 4) What do citizens do once they have received information from the FLAN dispatcher or legal consultant; 5) Citizen's expectations on how the FLAN system should work; 6) Understanding of how the FLAN system works (goals, tasks, scope, cases); 7) Accessibility for citizens (with what regularity are calls answered); 8) Types of cases (regional specificity); 9) The citizen's overall satisfaction with their experience interacting with the FLAN (communication, work on cases, responses, quality of explanations, practical recommendations, etc).

Responses to the survey displayed the following highlighted results with respect to the Ulyanovsk and St. Petersburg Free Legal Aid Networks:

- There is great need to educate the population about how to access free legal aid assistance, as more than 64% of citizens do not know how to access free legal aid.
- 79% of the citizens surveyed would be eligible to receive free legal aid assistance. However, most citizens have never taken advantage of free legal services because they were unaware that they qualified or were uncertain of where to obtain free legal aid.
- Most citizens still lack a clear understanding of what resources the FLAN can provide for them.
- Most citizens are wary of the judicial system in their regions and of the FLAN system.
- Respondents reported that access to free legal consultations is the most necessary and effective form of legal assistance.
- Among those respondents who had interacted with the FLAN, 61% were satisfied with the help they received. Specifically, these respondents reported that they had had positive interactions with FLAN employees (phone operators and legal consultants), and that during consultations, FLAN staff advised these respondents of all the necessary information and made practical recommendations, ensuring that each aspect of the consultant was easy to understand.

Respondents suggested the following improvements for the FLAN in Ulyanovsk and St. Petersburg:

- Provide clearer and more comprehensive information on the FLAN's services on TV, radio, the internet, and in newspapers, metro stations and other open public sources of information.
- Expand FLAN offices into more regions.
- Continue to engage highly qualified lawyers with relevant practical experience as FLAN legal services providers.

Improved the Sustainability of FLANs

RLPP met with the local administration and the local Chamber of Advocates in St. Petersburg and in Ulyanovsk to consider ways in which the Free Legal Aid Networks can be absorbed into existing administration or bar chamber services toward the end of 2012. In 2012, RLPP brought representatives of the FLAN to meet with the Samara administration to consider how this process operates in Samara. In Ulyanovsk, the Administration is very supportive of taking over the FLAN. Additionally, the Ulyanovsk Bar Chamber and Ulyanovsk Region Scientific Library signed a cooperation agreement regarding legal education and legal literacy in the Ulyanovsk region as a result they will conduct joint roundtables, trainings and seminars regarding free legal aid without RLPP assistance. Over the course of 2012, the Administration of Leningrad Region

became more supportive of free legal aid. One reason for this is that the Administration, through RLPP's Legal Aid Coordination Meetings, became more familiar with the work of our partners at the FLAN in Leningrad Region, and have come to better understand the need for free legal aid in their region. Another reason is that the Administration called on RLPP and our FLAN partners to assist them in drafting their regional law on free legal aid. They found the FLAN advice extremely helpful, and the law that was passed incorporated many FLAN recommendations. This cooperative drafting process also demonstrated to the St. Petersburg Administration the importance of the FLAN work.

Legislative Changes: An example of how the St. Petersburg Administration has come to trust and partner with the Free Legal Aid Network (FLAN) is the development and passage of regional regulations on free legal aid. The Administration worked with FLAN member Arkadiy Gutnikov to draft and pass regional regulations that implement the Federal Law on Free Legal Aid in St. Petersburg Region. On April 14, 2012, the regional government amended the laws governing the provision of government-supported free legal services, expanding the categories of citizens who qualify for such services. Among other changes, the amendment raises the maximum monthly income a family can have to still qualify for free legal aid. Under the amended law, more people, including disabled citizens, single mothers, large families and families with a monthly income of up to \$400 (increased from about \$200) will qualify for free legal aid.

Promoted the Adoption of Alternative Dispute Resolution (ADR)

Conducted Mediation Trainings

Alternative Dispute Resolution (ADR) was a widely discussed topic of considerable immediacy in the Russian Federation over the last several years. Former President Medvedev and the Judicial Council conspicuously included mediation in their national program of proposed legal reforms and a new law on mediation came into effect January 1, 2011. This law recognized and defined mediation as an alternative to court process, began allowing mediation at any stage of the legal proceedings, provided for confidentiality of the content of the mediation, and instilled protection for mediators and parties. It also listed some of the more appropriate categories of dispute for mediation, and acknowledged mediation agreements as enforceable amicable settlements.



RLPP and the Rostov District Court agreed that RLPP would assist in establishing an independent ADR Center in the Rostov region to which the Justices of the Peace would commit to referring the litigants in appropriate cases. In order to establish a pilot model mediation center, during 2010, RLPP—in cooperation with the Center for Law and Mediation (Moscow)—conducted 120 hours of training sessions to create a team of certified professional mediators in Rostov to handle cases, including those referred

by the Rostov judiciary, and to support a Mediation Center for the region. During the initial 120

hours of training, RLPP trained eighteen (18) mediators all of whom passed a rigorous mediation certification examination. In addition to the training of a team of certified mediators ready to handle cases, RLPP and the Center for Law and Mediation trained a first batch of twenty five (25) JP Court judges to introduce them to mediation and how to identify cases that are suitable for referral to the Center for mediation. By the end of 2010, the mediators received two (2) additional advanced trainings and an additional thirty (30) JPs underwent an initial training on mediation.

In early 2011, RLPP, together with Saint-Petersburg and Leningrad region bar chambers arranged, and conducted a two-day seminar on ADR techniques. The Saint Petersburg and Leningrad region bar chambers cost-shared the training and RLPP provided trainers for the seminar. RLPP trained 14 advocates on the Russian arbitration system, mediation procedure, negotiation techniques, and skills of mediators. RLPP also conducted the three (3) training seminars in Pskov for over 50 participants, including advocates, members of the regional branch Association of Russian Jurists, and Regional Department of the Ministry of Justice took part in the training. During the three-day trainings participants learned about mediation as an institution, and as a process in which a neutral third party helps parties to a conflict reach a voluntary, negotiated agreement. Finally, in Moscow, RLPP held the first training on mediation for the Center for Social and Labor Rights for 15 lawyers. The participants proved to be very interested in the topic and were ready to continue their education in mediation. In total, RLPP trained over 50 mediators in 2011.

In 2012, RLPP conducted several additional trainings and conferences on mediation and conflict mitigation. In the Moscow region, RLPP conducted a training on conflict mitigation for three (3) schools in Butovo. Thirty-two (32) participants took part in the training. During three working days, participants studied the methodology of conflict mitigation procedure, practiced resolving mock conflicts between schoolchildren and teachers, and created a program of school conflict mitigation services at each of the three participating schools.

In Moscow, RLPP held a conference on mediation in Russia, in partnership with the Chamber of Commerce of the Russian Federation, the Resource Center for Mediation, and the Arbitrazh Court Journal. RLPP live webcasted this event on the Resource Center's web-site http://mediators.ru/rus/about/activities/moscow_july2012/video. Over 100 people attended the conference, including representatives of the Higher Arbitrazh Court and Krasnoyarsk District Court staff, retired judges, and the Chairman of the Teikovskiy District of the Ivanovo Regional Court. The goal of the conference was to promote cooperation between regional mediation centers and local courts. The event brought together mediators and judges from different region and allowed for discussion of mutually beneficial strategies for effectively resolving cases.

Launched Mediation Center

In May 2010, RLPP succeeded in opening in Rostov-on-Don the first independent Mediation Center in Russia to which the judiciary refers cases. RLPP identified the premises and established an organizational structure that is operated by RLPP's partner, the local NGO, Civil Accord. The Center relied on fourteen (14) trained and certified mediators to handle cases. The Mediation Center attracted widespread interest. In 2011, its first full year in existence, it received 540 phone calls from people interested in mediation as an institution or interested in mediation trainings. It took on 93 cases in 2011, with the most common cases dealing with issues of divorce, land disputes, private prosecutions, non-payment of bills and inheritances.

With this quantity of cases, the Mediation Center in Rostov surpasses all other mediation centers in Russia focused on work with non-commercial persons in the number of mediations it conducts and the number of clients it serves.

Conducted ADR Outreach Campaign

To ensure the sustainability of the Mediation Center, during 2011, RLPP conducted an outreach campaign to bring the Center's existence and resources to the attention of the general public and to encourage mediation not only as part of litigation, but also instead of litigation in the first instance on a fee-paying basis. The Center published articles in local Rostov newspapers such as *Argumenti I Facti*. The articles described mediation, detailed the goals and process of mediation and the role of the mediator, and introduced the Rostov Mediation Center. The head of the Rostov ADR Center also launched a website describing what mediation is, outlines what mediators do, details the state policy on mediation, links to news stories on mediation and alternative dispute resolution, and presents articles containing statements by government officials discussing mediation and its benefits.

Produced ADR Publications

RLPP developed and produced two (2) comprehensive publications on mediation for lawyers. First, it published two (2) editions of its book, *Introduction to the Fundamentals of Mediation*, for the use of the mediators, judges, and interested parties. RLPP also developed and published 500 copies of, *A Handbook for Mediators*, bringing together in one volume all the information (derived from the various training sessions and prior publications) needed to mediate a legally cognizable dispute in the Russian Federation, to be distributed to practicing mediators to serve as a comprehensive desk book for these mediators and those to be trained by the certified mediator-trainers of the Rostov Center.

In an effort to raise awareness about the Mediation Center and to inform the public about the basic principles of mediation, RLPP also drafted and published 15,000 copies of a brochure for the general public describing the services provided by the Rostov ADR Center to be distributed in all JP and other Courts, government agencies, NGOs,

OBJECTIVE C: IMPROVED ADMINISTRATION OF THE JUSTICE SYSTEM AND RELATED PROCEDURES

In addition to proper training, JP courts must be guided by effective and efficient court operation protocols covering all aspects of court administration and can benefit from an electronic case management system similar to that used in the district courts. According to Russian Federation legislation, the responsibility for court administration of the JP courts is delegated to the regions. While most JPs have computers to write decisions and access to databases, these computers are generally not networked. The technological enhancements that are appearing in the other courts, such as electronic calendars and progress information displayed by kiosk or screens, are not reaching the justice of the peace courts, and consequently the assistance provided to the majority of the population accessing the court system is mired by ineffective processes.

From 2009 to 2012, RLPP helped to develop and install an electronic case management system in federal courts. The new software includes a case management system, as well as a procedure for complying with the requirements of Federal Law 262 related to uploading opinions. RLPP also worked with a team of court administrators, JPs, JP administration staff, and Judicial Department experts to develop a set of model protocols. These protocols were implemented at the model court in Rostov. During 2009 and 2010, RLPP also published select JP and District Court decisions (including the decisions of district courts on appeals from JP courts) from the pilot regions on the RLPP website. Finally, to identify endemic and continuing deficiencies in the JP

system, RLPP instituted a court monitoring program in Rostov region for systematically observing court proceedings. Because of political tensions in the Nizhniy Novgorod and Leningrad regions, RLPP was not able to implement such a monitoring tool, and instead conducted a Court Monitoring Study Tour to the U.S. for Russia judges, journalists and NGO members.

Highlights by the Numbers:

- 2 trainings conducted on the AMIRS electronic case management system.
- 1 model court developed in Rostov region, containing access for the disabled, an informational kiosk and an electronic case management system.
- 90 case decisions collected and published from three pilot regions.
- 15 judges, journalists and NGO members took part in court monitoring study tour to New York State.

Improved Court Administration

Developed Electronic Case Management System

To help courts comply with Law 262, RLPP cooperated with scientific research company *Voskhod*, a Russian company selected by the government to develop and install electronic case management systems (called AMIRS) in federal courts. The AMIRS system provides an e-bank of all JP court documents, regulated statistical reporting, and forms to be filled out in the event of a conviction. In addition, the software assists with assignment of case numbers. Initially, RLPP cooperated with a company called Titan to train 30 newly-hired secretaries on the use of AMIRS. These secretaries were hired specifically to upload JP decisions to the website. As a result of the installation of AMIRS, the Leningrad Oblast JP courts uploaded many opinions to the system and are now fully compliant with Federal Law 262.

Voskhod completed development of AMIRS in early 2010, and RLPP and *Voskhod* began conducting trainings soon thereafter. RLPP conducted the first *Voskhod* training in St. Petersburg State University Law School from April 8-9, 2010. The overall rating for the class was 4.6 out of 5. However, the survey results did confirm that there were several issues that needed to be addressed for future classes, such as more hands-on instruction and more time and materials. A second *Voskhod* training in Rostov took place in April 2010. This second training was conducted using the same training curriculum as the Leningrad Oblast training.

Developed Model Court in Rostov

A highlight of RLPP's efforts to improve court administration in the pilot regions was its success in developing a model court in Rostov, complete with improved access for the disabled and increased public information. In fall 2010, RLPP conducted an on-site assessment of the JP Courts in the pilot regions. In early 2011, RLPP's team of judicial administration experts released an assessment report summarizing its findings and presenting recommendations. The report was translated into Russian and sent to USAID as well as to the three pilot regions for their review and comment.

To implement the recommendations ascertained during the assessment report, RLPP met with the Chief Judges of the regional courts and working groups in Rostov, Leningrad Oblast and Nizhniy Novgorod in early



2011 to discuss the assessment and identify recommendations suitable for implementation in the JP Model Court in each region. RLPP obtained official approval of its model project recommendations for implementation in 2011-2012 from the Regional Chief Judges and Regional Councils of Judges.

In Rostov, the Rostov Regional Council of Justices of the Peace reviewed the list of recommendations approved by Rostov Deputy Chief Judge and issued a resolution of the Council approving implementation of specific recommendations in the Rostov JP Model Court.

Through this process, the Judicial Department and AOJ in Rostov prioritized the following recommendations:

- Creation of a computer training facility for JPs and court staff in the Rostov Branch of the Russian Academy of Justice.
- Renovation of the area near the court in Rostov to make it accessible for people with disabilities and making a bathroom in the courthouse accessible for people with disabilities.
- Increase access to the courts for deaf and hard-of-hearing people through the use of specialized equipment.
- Begin audio recording of proceedings.
- Electronically archive the opinions in the Rostov JP Model Court.
- Initiate the use of color-coded folders to assist with organization and identification of files.

In direct response to these recommendations, the Rostov JP Model Court implemented several significant improvements: 1) it installed ramps for disabled members of the public to use in accessing the courthouse; 2) it reconstructed restrooms in the courthouse to make them accessible to disabled persons; 3) it purchased equipment that can be used to assist deaf and hard-of-hearing persons to participate in court proceedings; 4) it introduced an information kiosk into the lobby of the court building that provides information on the cases being heard (organized by judge), on legal aid services available, and on using local resources to take a case to mediation instead of to the JP courts; 5) it improved the information available to the public on its website, and included some court forms on the site; and 6) it agreed to open a computer-training center for JPs in order to raise the level of computer literacy and streamline procedures in the court.

The Judicial Computer Training Center for Justices of the Peace and Court Personnel in Rostov Region:

One major finding from the assessment report on court administration was that many JPs and court personnel lacked computer skills, and that this unfamiliarity with computers and software hampered speedy access to decisions and slowed down resolution of cases. To eradicate this delay and streamline access to justice, the Academy of Justice of Rostov partnered with RLPP to open the Judicial Computer Training Center for judges and court personnel located in the Rostov AOJ building. RLPP worked with the AOJ to purchase 20 computers for students and one teacher computer and place them in the training classroom in the Academy.

In November 2011, RLPP coordinated the purchase of computer equipment for the Rostov Branch of the Russian Academy of Justice. The equipment was delivered to the AOJ in Rostov-on-Don in early December 2011, and was installed with the assistance of RLPP's technical personnel who troubleshooted the networking process over the first week of operation. In January 2012, RLPP and the Director of the Academy of Justice opened the center with a ribbon cutting ceremony witnessed by members of the AOJ, the new director of the training center, and students who participated in the first course, that began immediately following the ceremony.

Developed Model Courts in Nizhny Novgorod and St. Petersburg

The Chief Judge of Nizhny Novgorod Regional Court reviewed and approved fourteen (14) specific recommendations selected by the Nizhny Novgorod JP Department for implementation in Nizhny Novgorod JP Model Court. The recommendations included providing public space for forms and information kiosks at the courthouse, providing the public with information on available free legal services, providing electronic audio recording of court hearings, improving court management software, establishing an electronic archive for closed cases, procuring and implementing computer system firewalls, and establishing secured computer networks and back-up procedures and improving JP websites.

In July, RLPP met with the Chief Judge of the Nizhny Novgorod Regional Court, the Assistant to the Chief Judge, and the Head of the JP Court Department Regional Administration. The Chief Judge stated that the region was working on implementing the recommendations provided to them. They had purchased computers for each justice of the peace and had implemented the AMIRS system.

The Judicial Department also discussed the possibility of developing an electronic archiving system with RLPP, and they began developing a proposal with a company called ZAO "ELAR" http://www.elar.ru/english_page.php to start developing the necessary database. The database was not finished prior to the close to RLPP's cooperation with the Nizhny Novgorod JP Court, however. The Judicial Department did install two ATM machines inside courthouses to make payment of fees easier. One terminal was installed in Nizhegorodsky District in October 2011, and a second installed in Avtozavod District the following month.

In St. Petersburg, the Chief Judge of Leningrad Regional Court, the members of the Leningrad Regional Council of Judges, and the Director of the Leningrad Region JP Department, preliminarily approved fifteen specific recommendations for implementation in the Leningrad Region Model JP Court. Unfortunately, due to political developments running up to the Presidential election in Russia, the Nizhny Novgorod and St. Petersburg courts slowed cooperation with RLPP in late 2011, and ceased cooperation in early 2012. Beginning in late 2011, RLPP had difficulty accessing judges due to changes in climate signaled by increased restrictions on judges traveling abroad and statements by the national government regarding the negative impact of foreign organizations training or cooperating with Russian judges. The forced resignations of the Chief Judge of Leningrad Region and Nizhny Novgorod Region toward the end of 2011 also contributed to a shift away from RLPP's work with judges. RLPP was therefore forced to discontinue implementation of the recommendations in Leningrad and Nizhny Novgorod.

Published Court Decisions

The overwhelming caseloads of JPs in most regions make drafting well-crafted decisions difficult and contribute to a high reversal rate in many regions. Publication of selected decisions of JP and district courts can provide models of well-written and informed decisions based on sound legal reasoning. During 2009 and 2010, RLPP published select JP and District Court decisions (including the decisions of district courts on appeals from JP courts) from the pilot regions on the RLPP website (www.rlpp.ru). In 2010, RLPP collected a total of 90 JP decisions from Rostov, Nizhny Novgorod, and Leningrad regions to publish on the website. Beginning July 1, 2010, each target region was required to publish JP decisions on the JP websites pursuant to the requirements of Federal Law 262-FZ.

Court Monitoring

During 2009 and 2010, RLPP worked towards implementing a court monitoring program for JP courts in the pilot regions. In Rostov, four (4) survey tools were developed targeting different court users: (1) citizens applying to the JP courts; (2) JPs; (3) JP court staff; and (4) advocates. The surveys assessed the workloads of the JPs and the functionality of the JP courts, court employees' interaction with court users, and access to justice from the court users' and lawyers' perspectives. The goals of the questionnaires were to increase citizen satisfaction with the courts, citizen trust in the courts, and court transparency.



During 2009 and 2010, RLPP was not able to implement the survey tools in Nizhniy Novgorod and Leningrad Oblast due to political developments that caused the courts in those regions to de-prioritize cooperation with foreign organizations. Instead, during 2011 and 2012, RLPP collaborated with Leonid Nikitinskiy's Center for Legal Programs, and the United States – Russia Foundation, to conduct a Court Monitoring Study Tour. In December 2011, fifteen Russian regional judges, journalists, and NGO members, from organizations such as AGORA and the President's Council on Human Rights, came together with American federal district court judges and magistrates from the Eastern District of New York, and a number of other groups.

As a follow-on to the successful study tour, RLPP collaborated with the Center for Legal Programs to develop a smaller pilot court monitoring program in Volgograd, Nizhniy Novgorod, and Yaroslavl. The program made use of a court monitoring tool created by sociologist Sergey Kruchkov that was based on information he gained through his participation in the study tour. The goal of the court monitoring project was to provide judges with accurate information regarding the administration of their own courts, and to provide information regarding the perceptions that court visitors and the public have of the courts. RLPP received official permission from each local chief judge to conduct monitoring in their region.

RLPP partnered with a local Volgograd agency experienced in sociological surveys of public bodies and officials to provide a core group of trained monitors, who conducted interviews with judges, court visitors, and the general public in three regions: Volgograd, Nizhniy Novgorod, and Yaroslavl. The team of trained monitors conducted interviews in five (5) district courts per region (only within city borders), interviewed seven (7) judges per court (mainly civil judges), interviewed 40 visitors per court, and observed 12 court hearings per court. Each monitor based her evaluations on three (3) standardized forms: an observation form, an interview checklist for judges, and an interview checklist for court users. The monitors noted that they faced almost no obstacles or difficulties during their work in all three regions. However they pointed out that it was not always easy to fully interview the visitors as many of them felt uncomfortable providing the details of their case.

RLPP analyzed the results of the surveys and presented the results on July 29, 2012 at an event in Perm on "Public Participation In and Oversight of the Court System." Key results included the following findings: (1) parties interviewed were mostly satisfied with the judges' qualifications and treatment of their case (over 50%); (2) visitors were somewhat concerned with court

infrastructure, noting that infrastructure could be improved with renovations, added or renovated bathrooms, more information on legal assistance, and greater accessibility to the public; and (3) judges evidenced the most concern regarding the infrastructure of courtrooms, stating that courthouses need to be renovated, need to be bigger and need more staff.

GOAL B: IMPROVED STANDARDS AND GOVERNING MECHANISMS FOR PROFESSIONALISM AND ACCOUNTABILITY IN THE RUSSIAN LEGAL SYSTEM

OBJECTIVE A: INCREASED APPLICATION OF NORMATIVE ETHICAL STANDARDS

Ethical and well-trained advocates, jurists and judges are essential for the development of a receptive and independent legal system that citizens will trust. To strengthen the application of ethical standards as a way to create a more credible and professional justice system, RLPP worked to strengthen current training programs on ethics for advocates, jurists and judges. It conducted training courses on ethics for advocates and seminars on judicial ethics for judges. Finally, it published and distributed a guide on ethics for advocates along with an accompanying training video.

Highlights by the Numbers:

- 155 advocates attended 2 nationwide conferences on ethics for advocates.
- 270 young advocates trained at 4 two-day training courses.
- 1 guide on professional ethics for advocates published.
- 1 training video on ethics for advocates.
- 1 study tour conducted to the U.S. on ethics for advocates.
- 97 judges and 28 court staff attended 7 one-day seminars on judicial ethics.
- 90 judges attended 7 roundtables conducted to discuss revisions to the code of judicial ethics.
- 6 study tours conducted to the U.S. on judicial ethics.

Strengthened Ethics Programs for Advocates

Conducted Study Tour on Ethics for Advocates

To provide a better understanding of ethics and discipline RLPP hosted a delegation of 13 leaders from the Federal Chamber of Advocates of the Russian Federation in Chicago from September 8-12, 2009. The "Legal Ethics and Responsibilities in the United States" tour provided participants with an opportunity to learn about the organizations, systems, regulations and individuals behind U.S. legal ethical standards.

Conducted Nationwide Ethics Conferences - Established Working Group

RLPP successfully held a nationwide ethics conference in Rostov-on-Don in August 2009. The conference's goal was to increase the application of normative ethical standards within the legal profession, and it was well attended by both advocates and jurists. Over 100 participants took part in the conference and were provided with an open forum to express their opinions and ask questions of Russia's leading experts in the field. The conference was conducted jointly with the Federal Chamber of Advocates, the Institute of Advocacy at the Moscow State Law Academy, the Association of Russian Lawyers, and the Rostov-on-Don Regional Chamber of Advocates.

In November 2009, RLPP followed up with a roundtable on “Ethical Aspects in the Practice of Advocates” in Moscow, jointly with the Leningrad Regional Bar Chamber and the Institute of Advocacy of Moscow State Law Academy. Twenty-eight (28) advocates participated in the Roundtable. In 2010, RLPP, in conjunction with the Federal Chamber of Advocates and the Commission on Advocacy, conducted a conference on “Conflicts of Interest in Civil and Arbitrazh Proceedings.” The conference was held at the Federal Chamber of Advocates conference room for 55 advocates of the Moscow and Moscow region bar chambers and members of the Commission on Advocacy of the Association of Russian Lawyers.

As a result of this conference, the Chamber established a working group to prepare amendments to the Code of Professional Ethics in order to better define the ethical implications surrounding the attorney-client relationship. The working group presented the amendments to the Commission on Ethics of the Federal Chamber of Advocates that, under the decision of the Federal Bar Chamber Board, was assigned to complete work on amendments to the Code of Professional Ethics by April 2011. These amendments cover all topics of professional ethics and are aimed at providing clearer, more comprehensive regulation for advocates and closing the gaps that exist in current standards.

Conducted Ethics Training for Advocates

During the November 2009 roundtable, participants designated a working group to develop a two-day CLE ethics curriculum for young advocates. In December 2009, at the Federal Chamber of Advocates in Moscow, the established working group met and began design of a two-day curriculum for the ethics course. A preliminary curriculum was prepared, and an outline and list of topics with exercises following the training were formulated. The two-day ethics curriculum consists of the following seven (7) topics: (1) finding clients; (2) first consultation; (3) retainer agreement; (4) working on the case; (5) implementing the agreement; (6) termination of the attorney-client relations; (7) disciplinary responsibility of an attorney. This two-day CLE curriculum became the basis for a two-day interactive ethics-training course. This was the first training of its kind in the Russian Federation to be undertaken by the St. Petersburg Regional Chamber of Advocates and it is made up of theoretical and practical tasks that figure in deciding disciplinary cases.

In 2010, RLPP conducted three two-day ethics training courses in St. Petersburg, Nizhniy Novgorod, and Moscow for 86 advocates. Young advocates had an opportunity to learn about ethical issues surrounding the attorney-client relationship from the initial meeting through the termination of the professional relationship, including how to structure an attorney-client retainer agreement, attorney obligations under these agreements, and advocate responsibilities towards their clients, such as zealous representation, confidentiality, avoiding conflicts of interest, and advancing the clients’ own understanding of their interests. RLPP conducted test classes for young advocates to gauge which topics and materials were the most engaging. After holding test classes with students, the working group reviewed the curriculum, taking into consideration input obtained from participating law students and lessons learned from conducting a trial training.

In early 2011, RLPP conducted the revised two-day interactive ethics-training course in three (3) additional regions of Russia: Ulyanovsk, Moscow, and Nizhniy Novgorod. In Nizhniy Novgorod, RLPP worked with the Nizhniy Novgorod Chamber of Advocates to hold a two-day ethics training for 25 advocates. In Ulyanovsk, RLPP, together with the Ulyanovsk Chamber of Advocates, held the final pilot two-day ethics training for 22 advocates. In Moscow, RLPP cooperated with the Federal Chamber of Advocates to conduct three trainings for a total of 63 advocates.

Finally, RLPP synthesized the two-day ethics curriculum to create a four-hour training course for law students as an introduction to ethics in the legal profession. The course consisted of the following topics: ethical aspects of soliciting new clients, ethical issues surrounding client consultations and taking on a case, and the disciplinary consequences of non-compliance with ethical norms. Based on this curriculum, RLPP also convened its expert working group and designated the subjects and materials on representing clients and disciplinary responsibility to be included in a standard four-hour law school seminar on ethics. The four-hour course was presented to the Institute of Advocacy, Moscow State Law Academy, which agreed to incorporate it within their existing teaching curriculum.

In 2012, RLPP conducted two trainings for 32 young advocates in Moscow, using a one-day version of the course developed in 2011. At the August 2012 training, RLPP video-recorded key parts of the training provided by Natalia Bulgakova, one of the leading experts on ethics in Russia. The training was then placed online on the website of the St. Petersburg Chamber of Advocates where it can be accessed publicly for advocates and jurists interested in learning more about their ethical obligations. In total, RLPP conducted trainings for 201 advocates, jurists, and a few academics, in 2010 and 2011, more than twice the target numbers for each year. Of these advocates and jurists, 90 were female and 111 were male. RLPP trained 32 advocates in 2012, 18 of which were female.

Developed Training Video for Advocates

To supplement the training curriculum, in 2010, RLPP finalized a two-part training video DVD on ethics for advocates. The DVD contains short videos of advocate-scholars discussing their opinions and experiences related to professional ethics. This presentation shows not only what scholars think about professional ethics but also how they speak, how they present a topic, and how they arrange a presentation. The training video will serve as an example for young professionals of how they should act and how they should present themselves. RLPP piloted the presentation of this training video at the annual conference of the Federal Bar Chamber on “Advocacy, State, and Society,” held in Moscow on in November 2010.

Published a Guide on Ethics for Advocates

In April 2012, RLPP completed the first edition of *Professional Ethics of Advocates*, which contains scholarly commentary on selected disciplinary decisions and appeals. The Code of Professional Ethics was created by a group of experts and advocates, many of whom disagreed about the final product, and no one was ready to comment on their work up to this point. Now there are official commentaries that will help provide answers to many controversies and questions.

This publication was presented publicly at an event sponsored by Vedemosti Newspaper. At that event, RLPP presented the commentary to members of the media and many lawyers, and distributed approximately 500 copies of the commentary. The commentary was also placed online and is accessible for free. *Professional Ethics of Advocates* includes scholarly commentary on the Code of Professional Ethics along with commentary on selected disciplinary decisions and appeals.

Improved Judicial Ethics Training

Conducted Study Tour on Ethics for Judges

As part of its 2009 Open World delegations, RLPP hosted judges from regional councils, local qualifying commissions, and ethics committees to participate in professional programs on ethical standards and regulation. A delegation from Khabarovsk visited Alaska in June 2009. Two (2) of the five (5) delegates were judges and held discussion sessions on judicial ethics. Two (2)

delegations also visited Vermont and New York in July 2009. In Vermont, Karelian judges met with the Vermont Professional Responsibility Board and with the Chair of the Vermont Judicial Conduct Board. Materials that were developed for RLPP-sponsored programs on judicial ethics during the May-June 2009 seminars in Russia were used for discussions during the Open World visits.

In December 2009 and in spring 2010, RLPP again hosted Russian delegations to the U.S. Members of the delegations included one (1) Judge of Vologda Regional Court and five (5) Justices of the Peace. The December 2009 visit incorporated aspects of judicial ethics throughout the program and allowed Russian judges to learn about various aspects of judicial ethics in the U.S.

Sponsored Judicial Ethics Seminars

In 2009, RLPP sponsored seven (7) one-day seminars for members of qualifying commissions, ethics committees, and councils of judges in Karelia, Novgorod, Leningrad Region, Rostov Region, Arkhangelsk, Pskov and Vologda. The faculty for each of the seminars included leading Russian and American experts on judicial ethics from participating Russian regions and U.S. states.

The seminars were well timed to focus on new requirements introduced by recent amendments to the law, “On the Status of Judges of the Russian Federation,” such as conflict of interest and financial disclosure. These new ethical standards required further interpretation and amendments to the Code of Judicial Ethics. At that crucial juncture, analysis and comparison of these rules with the standards and experience of other legal systems, including the U.S., was especially beneficial to participants.

In total, 149 judges and committee members were trained on judicial ethics, well exceeding the target number of 60. Of these individuals, 97 were judges, 28 were court staff, 2 were advocates, 2 were academics, and 20 were from various other groups. Ninety-two (92) of the 149 individuals were female.

Conducted Roundtables to Discuss Revisions to the Judicial Ethics Code

The Russian Ethics Commission was charged with drafting amendments to the Russian Code of Judicial Ethics and developing a system of advisory ethics opinions. RLPP offered its services to the Commission and providing relevant information from the U.S. system and assisting with drafting. During 2010, RLPP conducted seven (7) successful judicial ethics roundtables with approximately ninety (90) judges to analyze the issues and proposals to the new draft of the Code of Judicial Ethics.

OBJECTIVE B: IMPROVED SELF-REGULATION AND OTHER FORMS OF GOVERNANCE

The continued improvement and development of judicial and legal self-governance is an important element of maintaining accountability and confidence in the justice system. During the project cycle, RLPP worked closely with the Federal Chamber of Advocates in the areas of discipline, continuing legal education and advocacy to strengthen its governance mechanisms in order to ensure greater accountability and increased professionalism among advocates. To address the challenges surrounding the non-regulation of jurists, RLPP also worked with the Association of Jurists to study various models and mechanisms and develop recommendations for governance of practicing non-advocates.

Highlights by the Numbers:

- 800 copies published of study book of disciplinary decisions developed by RLPP.
- 100 copies distributed of a CD on disciplinary decisions on ethics violations by advocates.
- 1500 copies distributed of a compendium on disciplinary decisions handed down in Leningrad and Ulyanovsk regions.
- 60 members of regional bar commissions trained on disciplinary practice and proceedings.
- 314 lawyers attended CLE trainings from 2010 to 2012.
- 2 Continuing Legal Education (CLE) Centers opened, one in Leningrad, one in Ulyanovsk.
- 21 professional CLE trainers trained to provide professional training at CLE Centers.
- 125 lawyers trained by RLPP-trained trainers at these new CLE Centers.

Launched Continuing Legal Education (CLE) Centers

The Federal Chamber of Advocates adopted a mandatory requirement of 100 hours of CLE courses every five years for all advocates. However, in most regions, there are insufficient opportunities for satisfying this strict requirement, or the offerings available are of poor quality. The dearth of quality continuing legal education programs highlighted the necessity of creating educational facilities that can develop the capacity to provide quality trainings.

In 2009, RLPP offered each of the chambers of advocates in its three pilot regions (Rostov-on-Don, Ulyanovsk, and Leningrad regions) help in establishing CLE centers. The Leningrad Region Chamber of Advocates and the St. Petersburg Chamber of Advocates agreed to develop a CLE system in their region, but had no clear understanding of what content they should provide in CLE programs or how to structure or operate a CLE center. RLPP proposed adopting the structure successfully developed for the Krasnoyarsk Bar Chamber in 2006-2008.

In order to help establish CLE centers, RLPP developed, published, and distributed a curriculum for CLE trainings along with supplementary written materials for advocates and interns to assist advocates in establishing unified standards for the advocates' profession, including special skills and ethical decision-making. The Leningrad and St. Petersburg Chambers agreed to use this model curriculum.

In June 2009, RLPP conducted a ToT program for the Leningrad Region Chamber of Advocates and for the St. Petersburg Chamber of Advocates. In total, 22 advocates participated, all of whom continued to participate in the program to become future CLE trainers. RLPP also held three (3) seminars on various topics for the Ulyanovsk Chamber of Advocates. One of the aims of these events was to evaluate their ability to establish a CLE system in the region. These events demonstrated that advocates in Ulyanovsk were ready and eager to establish and launch a regional CLE center. In June 2009, RLPP met with the President of the Ulyanovsk Chamber of Advocates, and arranged to conduct a ToT Program and assist with establishing a CLE center in Ulyanovsk for the Volga region. RLPP provided the first such ToT program in Ulyanovsk in fall 2009, and additional sessions in 2010. The program included ToT sessions on the methodology of educating adults, training based on the ethical standards for advocates, and a final training session on trial skills for attorneys.

In 2010, RLPP opened two (2) CLE centers, one for St. Petersburg and Leningrad region and one for Ulyanovsk region. Through a series of trainings of trainers (ToT) on advanced adult teaching methodologies and practical legal skills (including pre-trial and trial skills), RLPP successfully created a pool of professional CLE trainers (13 in St. Petersburg and 8 in Ulyanovsk) who are committed to training their peers on a continuous basis as part of a regional CLE center offering courses for credit toward the mandatory CLE requirement for advocates.

In 2011, both CLE centers obtained licenses which allow them to provide certified additional education to students and lawyers under the law requiring that all advocates take 100 hours of CLE over a 5-year period. The Ulyanovsk CLE Center got off to a slow start in 2011, due to a lack of infrastructure, but RLPP helped expand capacity by bringing the administration of the Ulyanovsk Center on a study trip to their peer center, the successful Krasnoyarsk CLE center. In Krasnoyarsk, the Ulyanovsk administrators were able to observe the management, administration, and infrastructure of a successful center, and learned hands-on methods for modeling their Center on Krasnoyarsk's structure. RLPP also continued to work with the Ulyanovsk Center to provide technical assistance in development of courses, information on teaching methods, and the development of a fee schedule. RLPP also continued to work with both Centers to develop more trainings and topics and improve their teaching and administrative skills. To aid with teaching skills, RLPP developed a model CLE curriculum to be used by CLE trainers.

In 2011 and 2012, over 530 advocates were trained through these new CLE centers, using RLPP curricula and materials. During 2012, RLPP also continued to work directly with the established CLE Centers in Krasnoyarsk, St. Petersburg/Leningrad, and Ulyanovsk to strengthen their internal operations and ensure the long-term sustainability of these centers beyond the life of project. The St. Petersburg/Leningrad Center began to establish itself and provide numerous trainings, educating over 200 advocates per year over the last two years. (Please see website of the Center: <http://institut.apspb.ru/>). RLPP coordinated with the newly established Federal Training Institute to transfer all RLPP developed and tested CLE curricula and mock trial case files to the Institute. RLPP encouraged the Institute to utilize CLE curricula and provide technical support through experts or trainers to assist in the replication of the CLE trainings. Trainings were also taped and provided on the Federal Institute's website.

Finally, RLPP conducted several independent CLE trainings from 2010 to 2012. In 2010, 173 advocates were trained at these CLE trainings, 95 in Ulyanovsk and 78 in Leningrad. In 2011, RLPP conducted three (3) additional independent trainings, at which 64 total advocates received CLE training. In 2012, RLPP conducted two Human Rights Schools in St. Petersburg and Yekaterinburg for 77 law students and young advocates. For this program, RLPP designed and conducted a five-day (5) course on the international protection of human rights and fundamental freedoms.



***Improved the Regulation of Advocates and Non-Advocates
Published Disciplinary Decisions***

In January 2009, the President of the Ulyanovsk Chamber of Advocates expressed to the Ethics Working Group organized by RLPP his strong support for collecting disciplinary decisions of interest and publishing them. In order to make the publication more useful for practicing lawyers, the publication was organized in the form of a study book on the Code of Ethics for advocates. Each provision of the Code was illustrated by a disciplinary case and a comment by a specialist. RLPP began collecting all significant disciplinary decisions for the period of January 2008–May 2009 in order to tabulate and present them organized according to the specific provisions of the Code of Ethics for Advocates applied in the decisions, accompanied by expert commentary for each ethical rule and examples of foreign experience. This study book was published in summer 2009 and 800 copies were distributed to judges, advocates and NGOs in the Ulyanovsk region.

RLPP also collected and disseminated a cross-section of disciplinary decisions from 20 regions in the form of a CD-Rom. RLPP synthesized the material, and collected and produced 100 copies in CD-Rom format. RLPP distributed the CD during its “Conference on Disciplinary Practice.” RLPP prepared an electronic version of the Commentaries in two versions: one to be copied onto CDs, and the second to be distributed via the internet. This increased accessibility for advocates who could not buy a published edition and for those living in distant regions. CD versions were also sent to regional bar chambers for general use.

In 2011, RLPP also compiled and published a compendium of disciplinary decisions handed down in Leningrad Region and in Ulyanovsk Region between 2003 and 2011, for use by future decision makers in that region and other regions to promote consistency and broader knowledge about disciplinary standards. In St. Petersburg, 1500 copies were distributed beginning in July 2010.

Conducted Conference on Disciplinary Issues for Advocates

In late 2009, with the cooperation of the Federal Chamber of Advocates, RLPP conducted an important one-day conference in Moscow to discuss obstacles in the “Law on Advocacy and the Code of Ethics,” to expanding the profession to include advocates practicing commercial law. In addition, RLPP participated in a National Conference with the Federal Chamber of Advocates on the practice and procedure of disciplining advocates for the Disciplinary Commissions of all the regional chambers of advocates. RLPP described its work in gathering together all the major disciplinary decisions from the regions issued to date and preparing an annotated second edition of its disciplinary manual with annotations and commentary. As an exemplary publication, RLPP discussed and distributed its recently published collection, *Disciplinary Decisions of the Ulyanovsk Chamber of Advocates*.

Conducted Training for Advocates on Disciplinary Practice and Proceedings

RLPP, in cooperation with the Federal Bar Chamber, Institute of Advocacy, and the Moscow Chamber of Advocates, held a three-day national conference and training in July 2010 for sixty (60) members of regional disciplinary commissions from 20 regional bar chambers throughout the Russian Federation.

The two-day training included attendance at an actual hearing of the Moscow Bar Chamber Disciplinary Committee, observance of the oral portion of the bar exam administered by the Qualifications Committee, and a meeting with the President of the Chamber. The Moscow Bar Chamber has become a model to other regional bars as a result of the acknowledged thoroughness and quality of its disciplinary decisions. Participants were able to observe a live disciplinary hearing that focused on the attorney’s fulfillment of his obligations to the client under their retainer agreement. Additionally, participants had the opportunity to observe the work of the qualification committee during an actual qualification exam. Of the thirteen (13) applicants

observed, eight (8) applicants successfully passed the exam.

Led Discussions of Regulatory Issues for Lawyers and Judges

During 2009 and 2010, RLPP conducted bench-bar meetings in seven (7) regions including the first such meeting sponsored directly by the Pskov Association of Jurists. In all, successful bench-bar meetings took place in Karelia, Rostov, Nizhniy Novgorod, Leningrad Region, Arkhangelsk, Pskov, and Vologda. These bench-bar meetings addressed important issues, such as ethical behavior of judges and lawyers in the judicial process, courtroom dress code, delays and disruption of the trial, and scheduling conflicts. RLPP also developed a video in Russian to demonstrate how bench-bar meetings are conducted in the United States.



Improved Regulation of Non-Advocates

Regulation of non-advocates is a challenging policy issue in Russia, as there is no organization that unites an adequate number of lawyers to be representative of practicing lawyers, and therefore bind them to regulation. The Association of Russian Lawyers (ARL) is the only federal organization that might be able to manage this work. However, the ARL is a very politicized organization that mostly focuses on topics identified by the federal administration. RLPP attempted to partner with the ARL, however regulation of jurists was not a priority for the ARL.

Nevertheless, negotiations between the ARL and RLPP were held in August 2009, which resulted in the signing of a Mutual Cooperation Agreement between the International Cooperation Committee as an official body that represents the ARL in its international relations and the RLPP. The agreement outlined the intent to conduct joint events and identify areas where RLPP could provide guidance on standards for ARL members.

RLPP specifically cooperated with the ARL on issues of regulation for non-advocates, through the Urals Legal Chamber. The Urals Legal Chamber is one of the first self-regulated organizations of lawyers, law firms, and advocates in Russia. RLPP partnered with the Urals Legal Chamber on a regional conference in 2010.

In 2010, RLPP surveyed current mechanisms for regulating non-advocates and advocates in eight (8) post-Soviet countries and issued recommendations. RLPP also conducted a regional conference for 45 people including representatives from five (5) regions in Russia (Pskov, Leningrad, Yekaterinburg, Chelyabinsk, and Moscow). In 2011, in cooperation with the Russian Chamber of Commercial Lawyers, RLPP created a working group to develop standards on ethics, disciplinary practice, and membership.

RLPP also conducted a two-day training on mediation, held in Moscow for unlicensed lawyers, as a part of its program on the regulation of non-advocates. In attendance were 15 participants (11 men and 4 women) including lawyers from various legal businesses and organizations and several psychologists. The training covered the different concepts, principles and stages of mediation. For the two days of the training, participants practiced their skills in role-playing games, obtained clarification regarding training topics during discussions, and engaged in practical skill-building activities. Several participants indicated that they were ready to continue their education in mediation.

In 2012, RLPP experienced significantly less interest from the community of jurists (as opposed to advocates) in the idea of self-regulation. Repeated requests to the community of jurists to cooperate on developing ethics regulations for lawyers and participate in conferences to train jurists in these regulations went unanswered. As a result, RLPP did not develop ethics policies for jurists, as was outlined in our initial workplan, and no such policies have been adopted by the jurist community.

OBJECTIVE C: EXPANDED TECHNICAL COMPETENCE IN SELECTED THEMATIC AREAS AND PROCEDURES

A critical component to strengthening the professionalism of judges and lawyers is ensuring they are knowledgeable about new legal developments. From 2009 to 2012, RLPP held a number of seminars, conferences and roundtable discussions with judges and lawyers focused on changes in Russian law and practice, such as the adoption of a new appellate level in the Russian judicial system, and on best practices and international standards.

Conducted Substantive Legal Trainings

During 2009, RLPP conducted approximately twenty substantive law seminars for the legal community. These seminars included topics such as legal aid, domestic violence, insurance law, criminal law, land law, and tax law.



In 2010, RLPP conducted a number of additional trainings. In total, it trained over 1100 judges and lawyers and conducted nineteen (19) legal seminars and master classes for judges and lawyers on a variety of legal topics to improve the interpretation and practical implementation of Russian codes/laws. Seminars included: “Rhetoric for the Legal Profession”; “Skills for Jury-Trials”; “ECtHR Case Strategy”; “Rules of Evidence”;

“Key Issues of Family Law: Marriage with Foreigners”; “Right to Privacy and Respect of Family and Private Life Under Article 8 of the ECHR”; “Plea Bargaining”; “Defamation: International Standards”; “Advocacy in Commercial Civil Trials”; “Master-class with Attorney Elena L’vova on Criminal Law”; “Master-class with Attorney Henry Reznik, President of the Moscow City Chamber of Advocates”; “Master-class with Attorney S.L. Ariya”; “Tax Law”; “Land Law”; “ADR”; “Courts and the Media”; and “Alternatives to Incarceration.”

In 2011, RLPP trained 14 judges in specialized legal topics, along with 132 lawyers. RLPP had some difficulty accessing judges beginning in late 2011, due to changes in the political climate, as described above, signaled by increased restrictions on judges traveling abroad and statements by the national government regarding the negative impact of foreign organizations training Russian judges. RLPP was therefore unable to train the as many judges as originally intended under the program.

Publications and Informational Support

S.L. Ariya’s *Life of an Advocate*

Interactive Methods for Continuing Legal Education

On the Attorney-Client Privilege

Professional Ethics of Advocates in Ulyanovsk Region
The JP Bench Book
Regional Disciplinary Practice: Ulyanovsk
Regional Disciplinary Practice: Leningrad
Art of Cross Examination
Mediation Handbook

CONCLUSION

Over the past four years, ABA ROLI accomplished and exceeded most of its program objectives under this award, building the capacity of Russian judges, lawyers, civil society, and court personnel to respond effectively to the needs of ordinary citizens.

Despite a challenging political and operating environment, ABA ROLI leveraged its reputation for integrity and neutrality to achieve tangible impacts in reforming Russia's justice sector. These impacts included successes in improving the capacity of judges through curricula development, training of Justices of the Peace (JP) educators, JPs, and JP court staff, and in developing a core curriculum. RLPP also significantly improved Russian citizens' legal rights awareness and enhanced their ability to exercise those rights. In partnership with local organizations, RLPP introduced a "pilot" system to deliver, monitor, and publicize free legal services in St. Petersburg and Ulyanovsk, including a hotline and an extensive referral network (Free Legal Aid Network – FLAN) comprised of NGOs, bar chambers and government offices. RLPP also launched and sustained two continuing legal education (CLE) centers, one for the St. Petersburg and Leningrad Region and one for the Ulyanovsk region, to deliver courses and seminars for both newly admitted and experienced advocates. RLPP also achieved significant results in the area of ethics for jurists and advocates. Finally, RLPP improved the legal skills and knowledge base for attorneys at all levels of the Russian legal system through trainings and seminars defense attorneys, young lawyers, and law students on topics ranging from jury trial skills to human rights schools.

Notwithstanding a tumultuous political climate, the partnership between ABA ROLI and USAID has produced impressive results. Over four years of sustained collaboration, USAID and ABA ROLI have established a cadre of willing and able partners who continue to express enthusiasm over future collaborations to improve the functioning of Russia's legal institutions. ABA ROLI, in collaboration with USAID, has demonstrated a record of achievement in Russia and the clear capacity for future impact. In combining USAID's understanding of the legal sector barriers to Russia's development with ABA ROLI's neutral and apolitical approach to legal sector reform, this project achieved many successes. As the political situation evolves in Russia, we hope to resume this partnership and continue working to improve Russia's legal institutions.